

# Notice of Allowability

Application No.

10/022,767

Examiner

Emmanuel Bayard

Applicant(s)

CLEVELAND, JOSEPH ROBERT

Art Unit

2638

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/14/01.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

This is in response to application filed on 12/14/01 in which claims 1-22 are pending. The application has been fully considered therefore this case is in condition for allowance.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mockler, John on 9/14/05.

The application has been amended as follows:

In claim 13, line 2, before wherein "7" has been deleted and replaced with ---9---.

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance: the prior arts of record fail to anticipate or render obvious the following recited features: a pulse generator coupled to said data processor capable of generating said first compensation pulse having said amplitude and said polarity determined by said data processor, wherein said first baseband combiner receives said first compensation pulse and combines said first compensation pulse with said first composite baseband chip sequence during a chip time slot corresponding to said first peak amplitude as recited in

Art Unit: 2638

claims 1 and 9. Determining an amplitude and a polarity of a first compensation pulse associated with the first peak amplitude and generating the first compensation pulse having the determined amplitude and polarity and combining the first compensation pulse with the first composite baseband chip sequence during a chip time slot corresponding to the first peak amplitude as recited in claim 17.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ozluturk et al U.S. patent No 6,920,127 B2 teaches user equipment having an adaptive RF amplifier.

Nomura U.S. Patent No 6,628,929 B1 teaches a transmission power control..

Yang U.S. Patent No 6,504,862 B1 teaches a method and apparatus for reducing the ratio of peak average.

McGowan et al U.S. patent No 6,236,864 B1 teaches a CDMA transmit peak power reduction.

Ozluturk et al U.S. Patent No 6,434,315 B1 teaches an adaptive RF amplifier prelimiter.

Hedberg et al U.S. Patent No 6,266,320 B1 teaches an amplitude limitation in CDMA system.

Art Unit: 2638

Raghavan et al U.S. Patent No 6,148,022 teaches a NZR and biphasic-I formatted quadrature modulated GPS.

Popovic U.S. Patent No 6,393,047 B1 teaches a quadrature spreading codes.

Dixon et al U.S. Patent No 5,396,515 teaches an asymmetric spread spectrum.

Davidovici et al U.S. Patent no 6,587,452 B1 teaches a high performance signal.

Oishi et al U.S. Patent no 6,009,090 teaches a code multiplexing wireless.

Dafesh U.S. Patent no 6,430,213 B1 teaches a coherent adaptive subcarrier.

Black et al US Pub no 2004/0110525 A1 teaches a system and techniques.

Jones et al U.S. Patent No 5,631,929 teaches an electronic transmitter.

Giallorenzi et al U.S. Patent No 5,793,797 teaches a data transmission.

Behtash et al U.S. Patent No 5,745,480 teaches a multi-rate wireless communication system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Bayard whose telephone number is 571 272 3016. The examiner can normally be reached on Monday-Friday (7:Am-4:30PM) Alternate Friday off.

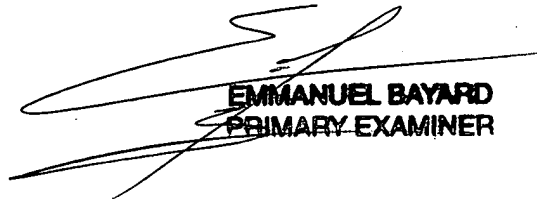
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vanderpuye Kenneth can be reached on 571 272 3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2638

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Bayard  
Primary Examiner  
Art Unit 2638

9/14/05



**EMMANUEL BAYARD**  
**PRIMARY EXAMINER**